

### **Remarks/Arguments**

Claims 1-39 are pending in this Application. In the Office Action mailed on the date of November 30, 2005, the Examiner requested the claims be restricted to three inventions that include:

- I. Claims 1-31, drawn to a method, classified in class 427, subclass 98.6;
- II. Claims 32-36, drawn to a semiconductor substrate free of interfacial reaction between the surface and a second molecular species, classified in class 257, subclass 62; and
- III. Claims 37-39, drawn to a kit for preventing interfacial reactions from occurring on a semiconductor surface, classified in class 252, subclass 62.3R.

Applicants respectfully address the basis for the Examiner's restriction below.

### ***Restriction/Election***

On page 2 of the Office Action, the Examiner requested that the claims be restricted to one invention. Applicants hereby provisionally elect Group II—Claims 32-36, drawn to a semiconductor substrate free of interfacial reaction between the surface and a second molecular species—with traverse for continued prosecution. Claims 1-31 and 37-39 are provisionally withdrawn from further prosecution. Any claims cancellation will be made upon the filing of a divisional application.

Traversal is argued on the grounds that a thorough search of the subject matter of Claims 1-31 and 37-39 would necessarily include a search of similar subject matter as that of Claims 32-36, because all claims, particularly Claims 1-31 and 32-36, are drawn to a semiconductor surface including a passivating agent. Given the unifying subject matter of all the independent claims, including the (materially) same composition and preparation (e.g., a semiconductor surface including a passivating agent), Applicants submit that any art identified within Group II would necessarily be similar to that identified for Groups I and III. Accordingly, Applicants submit that, as claimed, the method of making is not materially distinct from the product made, nor is the kit materially distinct from the product made, since the kit is useful to provide the same product. Because the inventions are not considered distinct for the reasons set forth above, examination of Claims 1-31 and 37-39 on the merits would impose no additional burden on the Patent Office. *See* MPEP 803.

### Conclusion

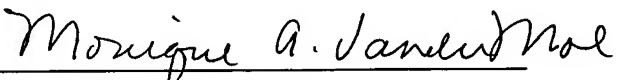
In light of the remarks and arguments presented above, Applicants respectfully submit that the claims pending in this application are in condition for allowance. Favorable consideration for and allowance of the pending claims are therefore respectfully requested.

No fees are believed to be due with this Amendment. If this is incorrect, Applicants hereby authorize the Commissioner to charge such fees, other than the issue fee, that may be required by this paper to Deposit Account 07-0153.

If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below.

Dated: January 13, 2006.

Respectfully submitted,  
GARDERE WYNNE SEWELL LLP

  
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